IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.8550 OF 2004

Mrs.Latika Madhukar Pandare .. Petitioner

v/s.

Shriram Education Society,
through the Secretary & ors. .. Respondents

Mr.N.V.Bandiwadekar for the petitioner.

Ms.Ranjana Todankar for the respondent No.4.

Mr.Sachin Manale i/by Mr.S.S.Pakale for the respondent No.1.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 26th April, 2005

P.C.

Heard Mr.N.V.Bandiwadekar, the learned counsel for the petitioner and Ms.Ranjana Todankar, the learned counsel for respondent No.4.

2. It is apparent from the reply dated 12.2.2004 filed by the Management viz. Shriram Education Society, Chiplun that the present petitioner who was surplus teacher was absorbed in place of respondent No.4 due to her termination of service with effect from 1.2.2004. The termination order of respondent No.4 has been set aside by the grievance committee in appeal No.13 of 2004 and the present respondent No.4 has been directed to be reinstated. As regards the present petitioner, it has been directed by the

grievance committee that she shall be absorbed by the Education Officer to any other school as surplus teacher.

3. The order passed by the grievance committee dated 17.9.2004 does not call for any interference at the instance of the present petitioner. Firstly because the present petitioner was already surplus teacher and she was absorbed in the respondent No.2 school at the instance of the Education Officer on termination of service of respondent No.4. The termination of respondent No.4 having been set aside by the competent authority, she has to be reinstated and since the petitioner was absorbed in place of respondent No.4, she has to leave to enable the management to reinstate the respondent No.4. Secondly, in so far as the petitioner is concerned, she was already surplus teacher and on reinstatement of respondent No.4 though she is being displaced, the grievance committee has directed the Education Officer to absorb the petitioner to any other high school.

4. No case for interference is made out. Writ petition is dismissed in limine.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)